

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
NEW ALBANY DIVISION

CHARLES B. WHITAKER, JR.,	)	
(Social Security No. XXX-XX-3242),	)	
	)	
Plaintiff,	)	
	)	
v.	)	4:06-cv-121-WGH-DFH
	)	
MICHAEL J. ASTRUE, Commissioner	)	
of Social Security,	)	
	)	
Defendant.	)	

**ORDER ESTABLISHING FINDINGS OF FACT  
AND CONCLUSIONS OF LAW**

This matter is before the Honorable William G. Hussmann, Jr., United States Magistrate Judge, upon the consents of the parties (Docket Nos. 12, 18) and an Order of Reference dated January 3, 2008 (Docket No. 31). The parties filed their briefs at Docket Nos. 17, 28, and 29, and the Magistrate heard oral argument on February 15, 2008. The findings made as a part of the record on February 15, 2008, are attached hereto and marked "Exhibit A."


The Magistrate Judge, being duly advised, now orders that this matter be **REMANDED** to the Commissioner for the following purposes:

1. To determine whether the plaintiff meets Listing of Impairment 1.07 since Record pages 162, 163, and 187 show continuing surgical management under 1.00M.

2. To determine whether the combination of the impairments on the plaintiff's left and right hands and wrists are the medical equivalent of Listing 1.07.

**SO ORDERED.**

Dated: February 25, 2008



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WILLIAM G. HUSSMANN, JR.  
Magistrate Judge

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